General Assembly

Raised Bill No. 1233

Referred to Committee on Judiciary

Introduced by:
  (JUD)

AN ACT CONCERNING PARENTAL IMMUNITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1   Section 1. Section 52-572c of the general statutes is repealed and the
2   following is substituted in lieu thereof (*Effective October 1, 2011*):

3   (a) In all actions for negligence in the operation of a motor vehicle,
4   and in all actions accruing on or after October 1, 1979, for negligence in
5   the operation of an aircraft or vessel, as defined in section 15-127,
6   resulting in personal injury, wrongful death or injury to property, the
7   immunity between parent and child in such negligence action brought
8   by a parent against [his child] the parent's child or by or on behalf of a
9   child against [his] the child's parent is abrogated.

10   (b) In all actions accruing on or after October 1, 2011, for the
11   reckless, wilful, wanton or intentional act or omission of a parent in
12   providing parental supervision and care of the parent's child resulting
13   in personal injury, wrongful death or injury to property, the immunity
14   between parent and child in such action brought by or on behalf of a
15   child against the child's parent is abrogated.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*October 1, 2011*	52-572c

Statement of Purpose:

To eliminate parental immunity in circumstances where a parent recklessly, wilfully, wantonly or intentionally fails to provide supervision and care for a child, including, but not limited to, a circumstance where a parent recklessly provides alcohol or drugs to a child and the consumption of such alcohol or drugs causes the death of such child.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]